



NEW HAMPSHIRE DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE



2018-2019 BIENNIAL REPORT



24-HOUR DOMESTIC VIOLENCE HOTLINE: 1-866-644-3574

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DEDICATION

The Committee dedicates this report to all of those who have lost their lives as a result of domestic violence and honors all of the survivors for their strength and courage.

The Committee calls on the citizens of New Hampshire to learn from this report and consider the ways that the community can bring the domestic violence homicide statistic to zero.

ACKNOWLEDGEMENTS

The Domestic Violence Fatality Review Committee would like to acknowledge the hard work and countless hours contributed by a number of people in the effort to produce this report.

Particular gratitude is owed to:

Stacey MacStravic and Danielle Snook

Attorney General's Office of Victim/Witness Assistance

Jeannette Bilodeau and Sarah Freeman

New Hampshire Judicial Branch

Lyn Schollett, Karin Ashton and Kathleen McDonald

New Hampshire Coalition Against Domestic and Sexual Violence

INTRODUCTION

The Domestic Violence Fatality Review Committee (DVFRC, “Committee”) was created by Executive Order of Governor Jeanne Shaheen in July 1999. The purpose of a DVFRC is to review deaths related to domestic violence in order to provide solutions in the form of recommendations to key stakeholders, with the intention of reducing future fatalities. The DVFRC is not an investigative body and is not a mechanism to assign fault to an agency or individual. It is a forum for sharing information essential to the improvement of a community’s response to domestic violence related fatalities.

Since its inception, the DVFRC has generated recommendations for the state’s three branches of government and the many individuals, agencies, and community organizations which work with domestic violence victims and offenders. These recommendations have generated policies, procedures, and practices to improve New Hampshire’s multidisciplinary response to domestic violence.

This Report contains the following data from 2018-2019: domestic violence homicide and Lethality Assessment Program data from the Office of Victim/Witness Assistance, crisis center data from the New Hampshire Coalition Against Domestic and Sexual Violence, and protective order data from the New Hampshire Judicial Branch. The goal of presenting the homicide data is to improve the understanding of the context of these homicides. The LAP data provides an insight into the number of victims in the state identified as being in high danger and getting connected to a crisis center. The information from the Coalition and Judicial Branch represent two additional sets of data that illustrate some of the services and protections that domestic violence victims sought. Taken together, all of the data sets present important and related information about domestic violence in the state and are intended to promote the optimal allocation of resources to prevent future homicides.

The DVFRC strives to promote greater awareness of domestic violence in New Hampshire and opportunities for building safer communities for all our citizens. The Committee is hopeful that this report may serve as a valuable resource to those who serve victims of domestic violence, decision-makers, and researchers.

MISSION STATEMENT

To reduce domestic violence-related fatalities through systemic multi-disciplinary review of domestic violence fatalities in New Hampshire; through inter-disciplinary training and community-based prevention education; and through data-driven recommendations for legislation and public policy.

OBJECTIVES

1. To describe trends and patterns of domestic violence related fatalities in New Hampshire.
2. To identify high risk factors, current practices, gaps in systemic responses, and barriers to safety in domestic violence situations.
3. To educate the public, policy makers and funders about fatalities due to domestic violence and about strategies for intervention.
4. To recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.
5. To improve the sources of domestic violence data collection by developing systems to share information between agencies and offices that work with domestic violence victims.
6. To more effectively facilitate the prevention of domestic violence fatalities through multi-disciplinary collaboration.

I. EXECUTIVE SUMMARY

In 2018 the Committee began to examine the way in which it conducts reviews. There had been many developments in the field of fatality review since the Committee's inception in 1999, and it seemed appropriate to determine if New Hampshire was still utilizing a best practice approach or if there were things that could be done to improve its work. The Committee took a hiatus from reviewing cases to focus on researching fatality review models and approaches from other jurisdictions. To aid in this effort the Committee engaged with the National Domestic Violence Fatality Review Initiative (NDVFRI), which provides training and technical assistance to domestic violence fatality review committees both throughout the United States and internationally. The Committee continues to discuss various approaches and intends to make a recommendation regarding the form and function for the DVFRC moving forward.

Nationwide, 1 in 3 women and 1 in 4 men have been victims of some form of physical violence by an intimate partner in their lifetime¹. In New Hampshire, domestic violence is also having a profound effect on its citizens.

Between 2018 and 2019, **twenty-one people lost their lives to domestic violence homicide**, representing **45% of all homicides** during that time frame. This represents a dramatic increase from the prior reporting period, confirming domestic violence remains one of the most prevalent legal and social problems in the United States.

New Hampshire has a relatively low homicide rate compared to the national average so it is a relatively "safe" place to live, however being in an intimate relationship can prove to be a fatal factor. Domestic violence was a factor in **100% of the state's murder/suicides in 2018 and 44% of the murder/suicides in 2019**.

The highest domestic violence homicide rates for this reporting period were in Hillsborough and Merrimack Counties. Carroll County had the highest rate per capita at **6.27 per 100,000**. Home can be a dangerous place for a domestic violence victim as **9 out of the 21 domestic violence homicides occurred in the victim's residence**, and **8 out of 21, occurred in a shared residence**.

From 2018-2019, **86% of victims** of New Hampshire domestic violence homicides were **women and 95% of the perpetrators were men**. While men are also victims of domestic violence, national research and New Hampshire state data indicate that domestic violence is more lethal for women than for men.

Firearms were the leading cause of domestic violence homicide during this reporting period, accounting for almost half (10 out of 21).

This report also details the work of the Lethality Assessment Program (LAP) Steering Committee. The LAP screen is a critical tool utilized by Law Enforcement to ensure victims of domestic violence, particularly those in serious danger, have access to crisis center services. The data collected for 2018-2019 shows that **3,137 LAP screens** were completed, with **54% of victims screening in as 'high danger'**. Victims, in other jurisdictions using the LAP, have **experienced less frequent and less severe violence**, and also engaged in protective actions². For this reason, the DVFRC urges continued implementation of the LAP screen by law enforcement agencies in New Hampshire.

Information and data about the survivors of domestic violence is also included in this report. In 2018-2019, **31,110 people sought services for domestic violence, stalking and sexual assault** from the state's 13 crisis centers, **92%** of those identified as **primary/secondary victims** and the remaining **8%** identified as third party referrals. The data shows that almost **three quarters, (70%)** of those seeking services as primary or secondary victims were **for domestic violence**. The centers also report that with limited space available in New Hampshire's domestic violence shelters, **3,074** adults and children were turned away in 2018 – 2019.

Thousands of people sought protection from domestic violence and stalking in the courts. In 2018-2019, **7,934 domestic violence petitions** and **4,200 civil stalking petitions** were filed by people requesting protection from abuse. In addition, **7,501 Criminal Bail Protective Orders were issued**.

1. Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J. & Stevens, M. (2011). The national intimate partner and sexual violence survey: 2010 summary report. Retrieved from http://www.cdc.gov/violenceprevention/pdf/nisvs_report2010-a.pdf.

2. Messing, J. T., Campbell, J. C., Wilson, J. S., Brown, S., Patchell, B., & Shall, C. (2014). Police departments' use of the Lethality Assessment Program: A quasi-experimental evaluation. *U.S. Department of Justice*, Award No. 2008-WG-BX-0002.

II. NEW HAMPSHIRE LETHALITY ASSESSMENT PROGRAM REPORT 2018-2019

BACKGROUND

The Lethality Assessment Program—Maryland Model (LAP) was created by the Maryland Network Against Domestic Violence (MNADV) in 2005 as an evidence based innovative strategy to prevent domestic violence homicides and serious injuries.

The LAP is a brief intimate partner homicide screening tool and an accompanying response and referral protocol for law enforcement, designed to identify high risk domestic violence victims who are at the greatest risk of being seriously injured or killed and to immediately connect them with crisis center services for safety planning, information and resources.

HISTORY IN NEW HAMPSHIRE

In 2009, the New Hampshire Attorney's General's Office was awarded a training and technical assistance grant from MNADV to implement LAP as a pilot project in Merrimack County.

Due to the response of the agencies involved in the pilot, the Attorney General's Office secured additional grant funding to contract with a part-time coordinator in an effort to implement LAP in other counties. The LAP Coordinator trained in all 10 of New Hampshire's counties before the grant funding expired in 2011. Also during this time, the LAP became part of the standard domestic violence curriculum for new law enforcement officers attending the recruit academy at New Hampshire Police Standards and Training Council.

The courts also received training on the LAP and, in acknowledging the valuable insight that the results can provide about a perpetrator's behavior, judges were encouraged to begin asking law enforcement for LAP results in criminal domestic violence related cases.

The Attorney General's "*A Model Protocol for Law Enforcement Response to Domestic Violence Cases*" was updated in 2013 (<http://doj.nh.gov/criminal/victim-assistance/protocols.htm>) and it promoted LAP as a best practice to be utilized by all law enforcement agencies in the state.

In 2014, a LAP Steering Committee, comprised of representatives from the Attorney General's Office, law enforcement, the courts and advocacy communities, was created to assist the efforts of implementing the LAP statewide.

Effective January 1, 2015, law enforcement began reporting their LAP data to the Attorney General's Office on a quarterly basis.

The LAP Steering Committee continues to meet to assess the status of the LAP and develop strategy to continue to implement and monitor LAP in New Hampshire.

2018-2019 ACTIVITIES

In 2018, the Steering Committee conducted 2 in-person trainings in Lincoln which were attended by 22 officers.

In 2019, the LAP Steering Committee decided to implement the 12-question LAP screen statewide. The 12-question screen was piloted in several towns in Strafford County beginning in 2012, with positive feedback. In anticipation of a January 1, 2020 start date, the LAP Steering Committee coordinated the following efforts to train as many law enforcement officers as possible:

The creation of a webinar for law enforcement which, in addition to an introduction on the new form, included a review on the dynamics of domestic violence. **Over 40 officers** participated in the live webinar.

The webinar was recorded and the New Hampshire Police Standards and Training Council added it to their online training platform which law enforcement can access at any time. In the first 6 months of 2020, **259 officers** completed the online training.

A series of **15 in person trainings** throughout the state in the fall of 2019. These trainings were attended by **245 personnel** from law enforcement agencies across the state as well as other allied professionals.

Data Collection

Below is the data that was reported for 2018-2019:

New Hampshire Lethality Assessment Program (LAP) 2018-2019 Data					
	Law Enforcement Data				Crisis Center Data
	# of screens initiated	# of screens completed	# of victims screened in as high danger	# of victims that spoke to advocate	# of victims that utilized follow-up crisis center services
2018	2,255	1,635 (73%)	864 (53%)	374 (43%)	269
2019	1,911	1,502 (79%)	818 (54%)	401 (49%)	291
Total	4,166	3,137 (75%)	1,682 (54%)	775 (46%)	560

When compared to the last biennial report for 2016-2017, the LAP data for 2018-2019 is almost identical.

NEXT STEPS

The LAP Steering Committee continues to meet quarterly to discuss implementation issues, including outreach to law enforcement agencies that are not currently utilizing the LAP.

Upcoming goals for the Steering Committee include updating the LAP webinar for advocates, expanding training capacity by identifying additional LAP trainers throughout the state and conducting an analysis of New Hampshire's LAP data.

STEERING COMMITTEE

For a list of the LAP Steering Committee See Appendix C.

III. SUMMARY OF NEW HAMPSHIRE DOMESTIC VIOLENCE HOMICIDE DATA 2018-2019

This section presents detailed domestic violence homicide data for the reporting period of 2018-2019, as well as highlights of aggregate data on domestic violence homicides from 2009-2019.

The information presented in this report is from the Office of Victim/Witness Assistance (OVWA). Excluded are deaths caused by negligence, suicide, accident, justifiable homicide, attempted murder, and homicides outside of the jurisdiction of the Attorney General's (AG's) office. The AG's jurisdiction tends to include 1st and 2nd degree murders.

It is important to note that the number of perpetrators is different from the number of victims because a homicide incident can have multiple victims and/or multiple offenders.

For the purposes of this report, the categorization of a domestic violence homicide is made when the perpetrator has been publicly identified and is not based on a criminal finding of guilt. Homicides that are unsolved, or where the perpetrator is otherwise not identified, cannot be categorized as domestic violence and therefore are not included in the domestic violence statistics.

The Domestic Violence Fatality Review Committee defines a domestic violence homicide as one person killing another person by use of physical force or a deadly weapon where the relationship between the parties is either intimate partner, family member or domestic-violence related. These relationships are defined as:

Intimate Partner: homicides committed by those in a current or prior intimate relationship, including spouses, unmarried cohabitants or in a dating relationship.

Family member: homicides committed by and against family members but exclude intimate partners (e.g., when a parent kills a child). This also includes people not biologically related but are similarly situated as a family member, parent or guardian in the victim's life (i.e. step-parent, mother's boyfriend, etc...).

Domestic violence related: homicides not committed by intimate partners or family members, but the homicide has some relationship to domestic violence (e.g., estranged husband kills wife's current intimate partner).

CHART 1: NEW HAMPSHIRE HOMICIDES 2009-2019

Year	# of Homicides Handled by Attorney Generals Office	# Domestic Violence Homicides ¹	# Domestic Violence - Partner Homicides	# Domestic Violence - Family Member Homicides	# Domestic Violence - Related Homicides	% Homicides that are Domestic Violence ²	% Homicides that are Domestic Violence - Partner Only ³	Total # Murder/Suicides	% Domestic Violence Murder/Suicides
2009	12	7	6	1	0	58%	50%	4	100%
2010	12	9	5	2	2	75%	42%	3	100%
2011	16	8	4	4	0	50%	25%	2	100%
2012	13	6	3	2	1	46%	23%	6	33%
2013	16	9	4	5	0	56%	25%	2	100%
2014	15	11	5	4	2	73%	33%	8	75%
2015	14	7	2	4	1	50%	14%	4	100%
2016	14	4	1	3	0	29%	7%	1	0%
2017	11	5	2	3	0	45%	18%	1	100%
2018	19	9	5	3	1	47%	47%	5	100%
2019	28	12	9	3	0	43%	32%	9	44%
Totals	170	87	46	34	7	51%	27%	45	77%

CHART 1

This chart provides historical data for the most recent eleven years. In total, there were **170** homicides that occurred in New Hampshire since 2009 and of those, **51%** were as a result of domestic violence. This percentage has fluctuated from a low of **29%** in **2016** to a high of **75%** in **2010**, followed closely by **73%** in **2014**.

The chart also illustrates that while murder/suicides account for only **26%** of the **total number** of homicides in the state between **2009** and **2019**, in **77%** of those 45 cases, **domestic violence was a factor**.

¹This number includes all homicides that occurred as a result of domestic violence, including those committed by partners, family members or are otherwise domestic violence related.

²% of Homicides that are Domestic Violence = Total # Domestic Violence Homicides/ Total Homicides Handled by Office

³% of Homicides that are Domestic Violence - Partner Only = Total # Partner Homicides/ Total Homicides Handled by Office

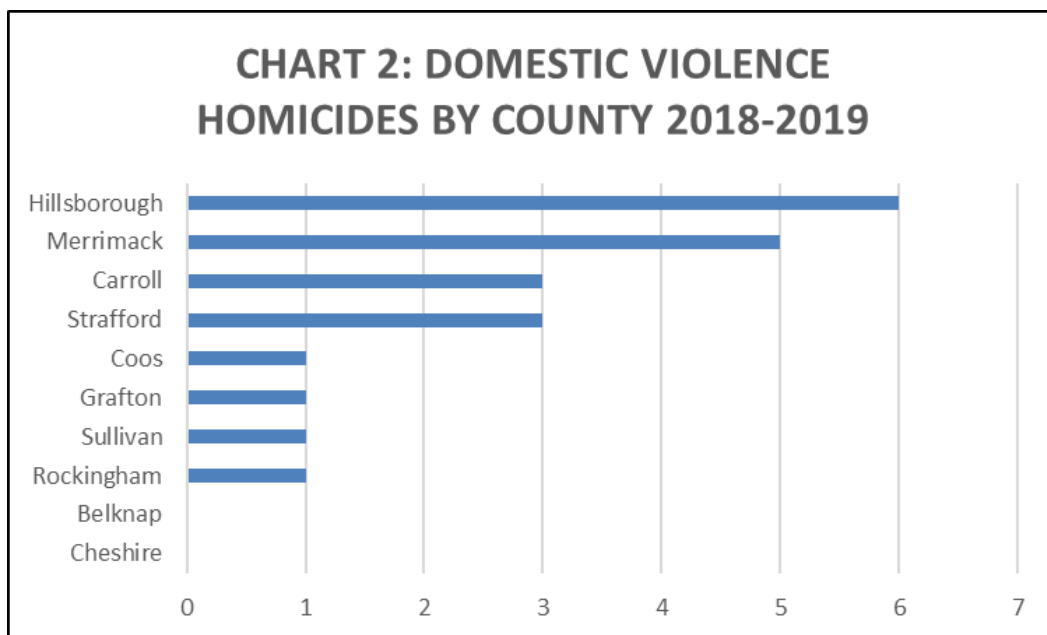


CHART 2

Between 2018 and 2019 there were a total of **21** victim deaths due to domestic violence in New Hampshire. As is seen in Chart 2, Hillsborough and Merrimack counties had the most domestic violence homicides in this 2 year period. Belknap and Cheshire counties did not have any domestic violence homicides during this time.

CHART 3: COMPARISON OF MURDER SUICIDES 2018-2019				
Year	Total # of Homicides	Total # of Murder/Suicide Victims	# of Domestic Violence Murder/Suicide Victims	# of Non-Domestic Violence Murder/Suicide Victims
2018	19	5	5	0
2019	28	9	4	5
Total Victims	47	14	9	5

CHART 3

For the reporting period of 2018 and 2019, murder-suicides made up **30%** (14 of the 47) of the total homicides that occurred. In three of these cases the defendant killed 2 people before taking their own life.

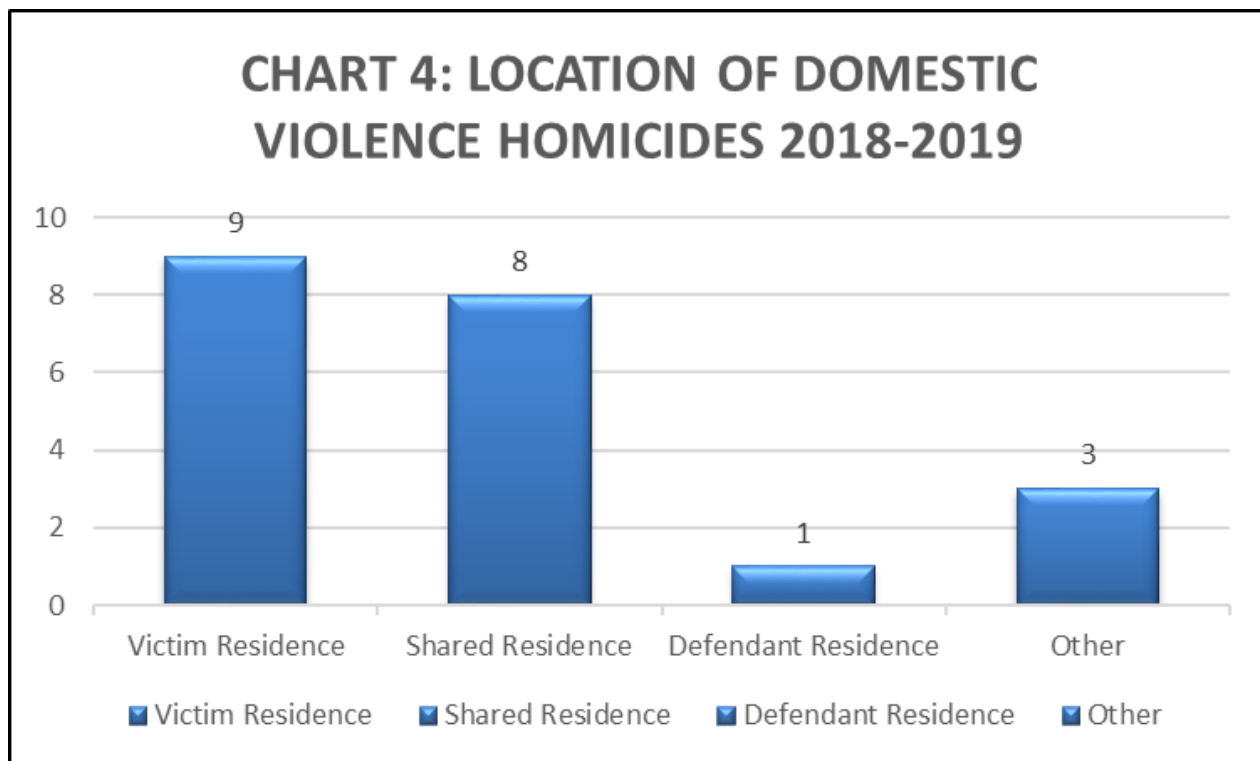


CHART 4

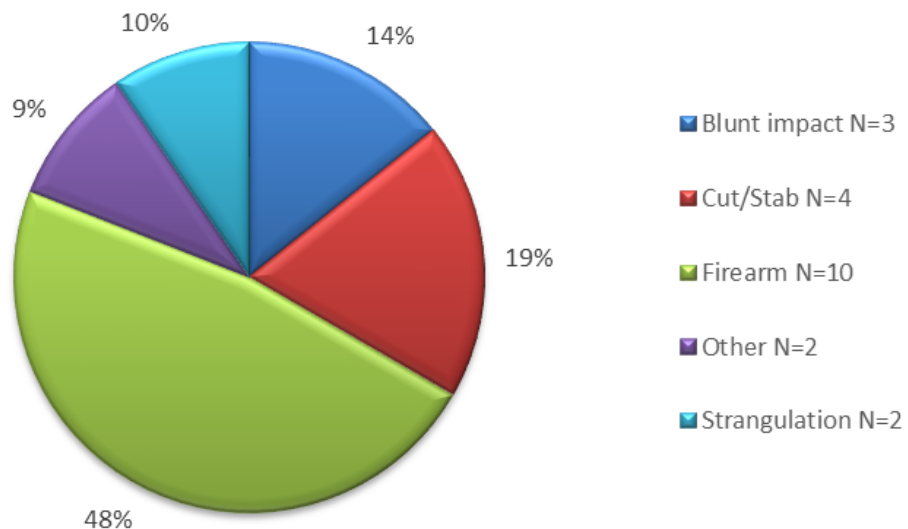
Domestic violence homicide victims were murdered predominately in their residence or a shared residence with the defendant. During this time period, the majority of non-domestic violence homicides occurred in other locations (e.g. in a parking lot, in the street, in their car).

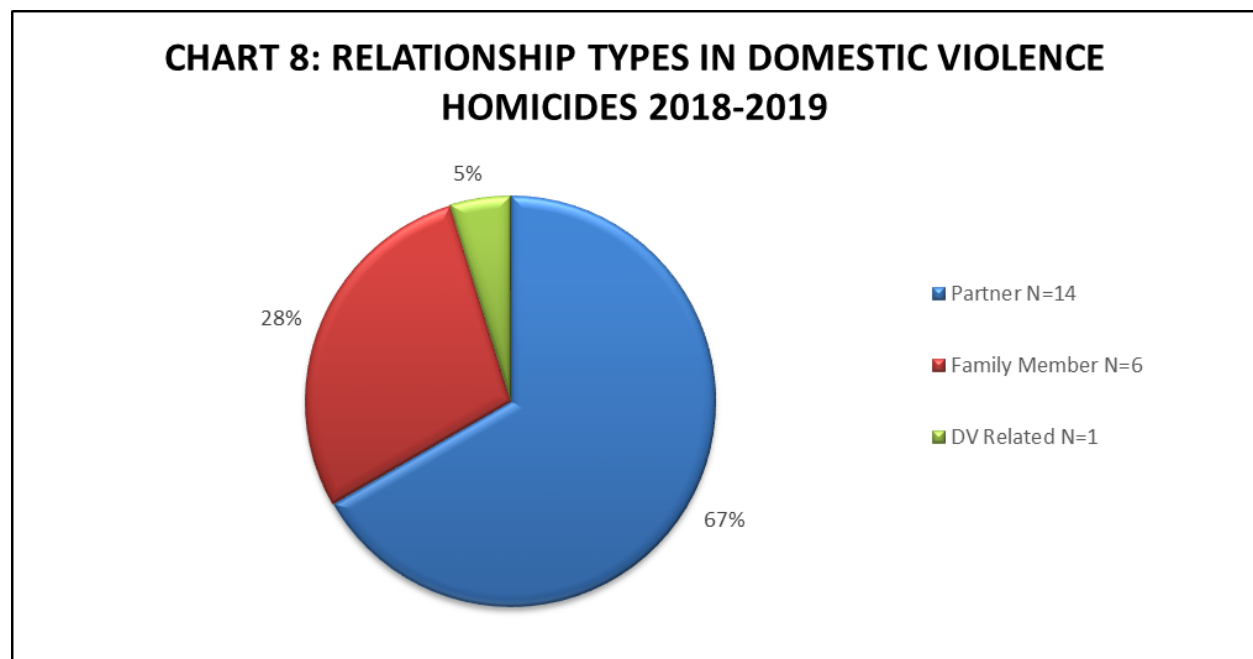
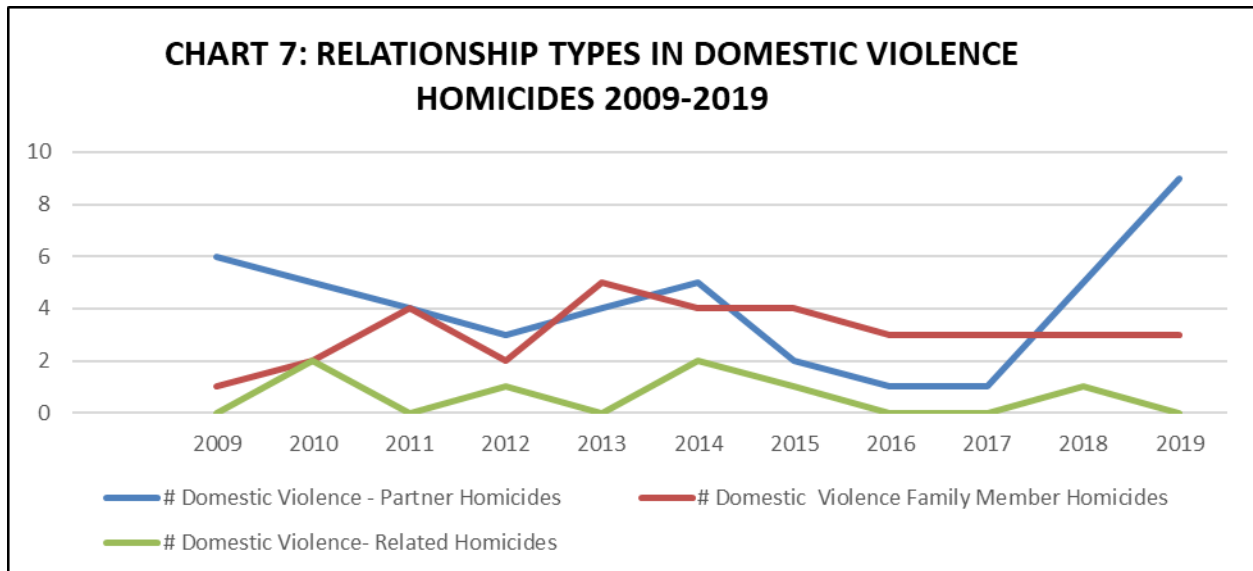
CHART 5: HOMICIDE CAUSE OF DEATH 2018-2019		
Cause of Death	Domestic Violence Homicide Victims	Non-Domestic Violence Homicide Victims
Firearm	10	15
<i>Hand Gun</i>	9	15
<i>Long Gun</i>	1	0
Cut/Stab	4	4
Blunt Impact	3	5
Strangulation	2	0
Other	2	2
Total	21	26

CHARTS 5 & 6

Firearms are the leading cause of death in both domestic violence homicide cases and non-domestic violence homicides, accounting for 48% of domestic violence homicides and 59% of non-domestic violence homicides. For homicides when a firearm was used 22 out of 23 times it was a hand gun.

CHART 6: DOMESTIC VIOLENCE HOMICIDE CAUSE OF DEATH 2018-2019





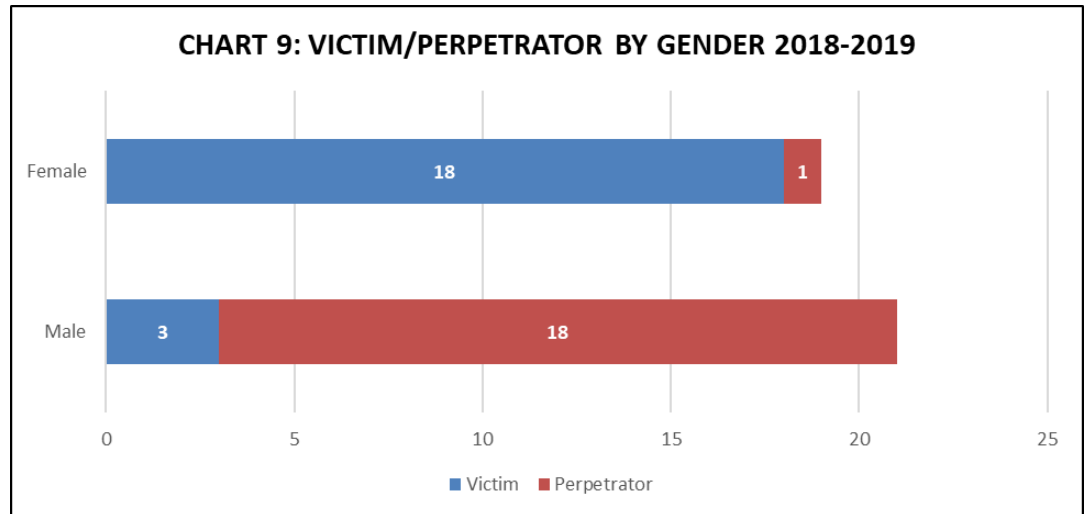
CHARTS 7 & 8

Between 2018 and 2019, **67%** of the domestic violence homicide victims were killed by an intimate partner, **28%** killed by a family member and **5%** were domestic violence related.

For the first time in several years, the number of domestic violence homicides committed by a family member is down, but the number of domestic violence homicides committed by an intimate partner is up significantly, from **25%** in the last report to **67% this reporting period**.

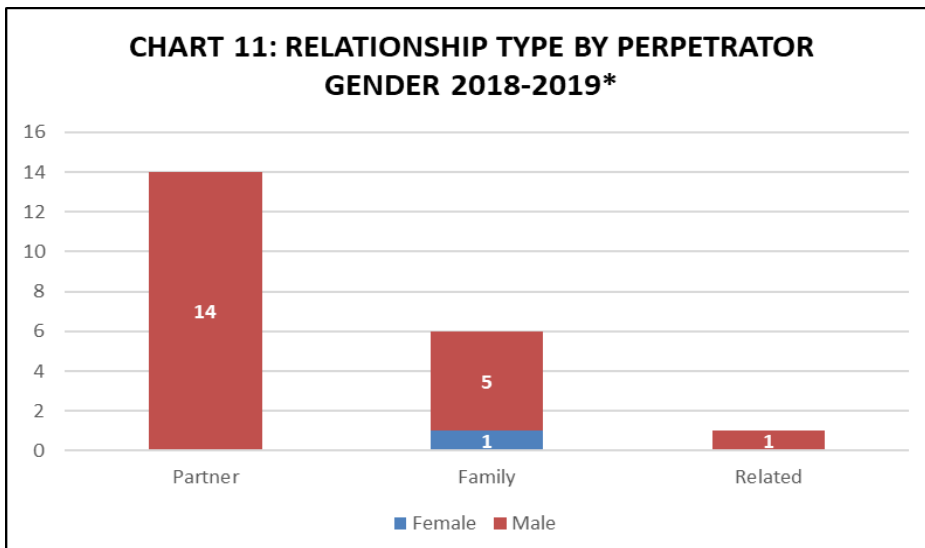
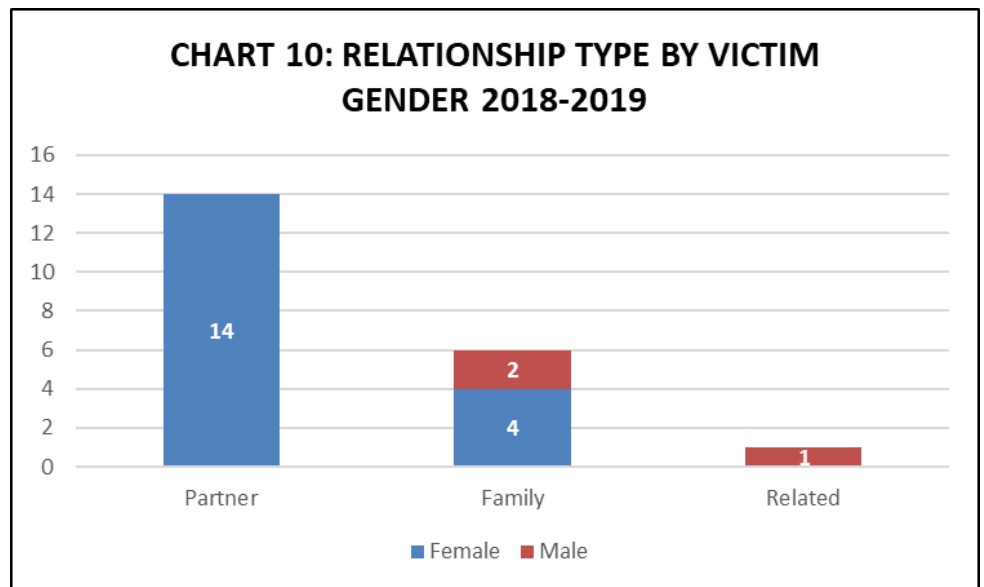
CHART 9

86% of victims in domestic violence homicides between 2018 and 2019 were female. **95%** of the perpetrators of domestic violence homicides were male.



CHARTS 10 & 11

During this reporting period **all the victims in partner homicides were female**, while females accounted for twice as many victims as males of family member homicides. The majority of the perpetrators during this reporting period were males.



**The number of relationship types represent the relationships found between victim and offenders in these incidents. Given that incidents can involve multiple victims of the same offender, the numbers in this chart may be higher than the offender counts in other charts.*

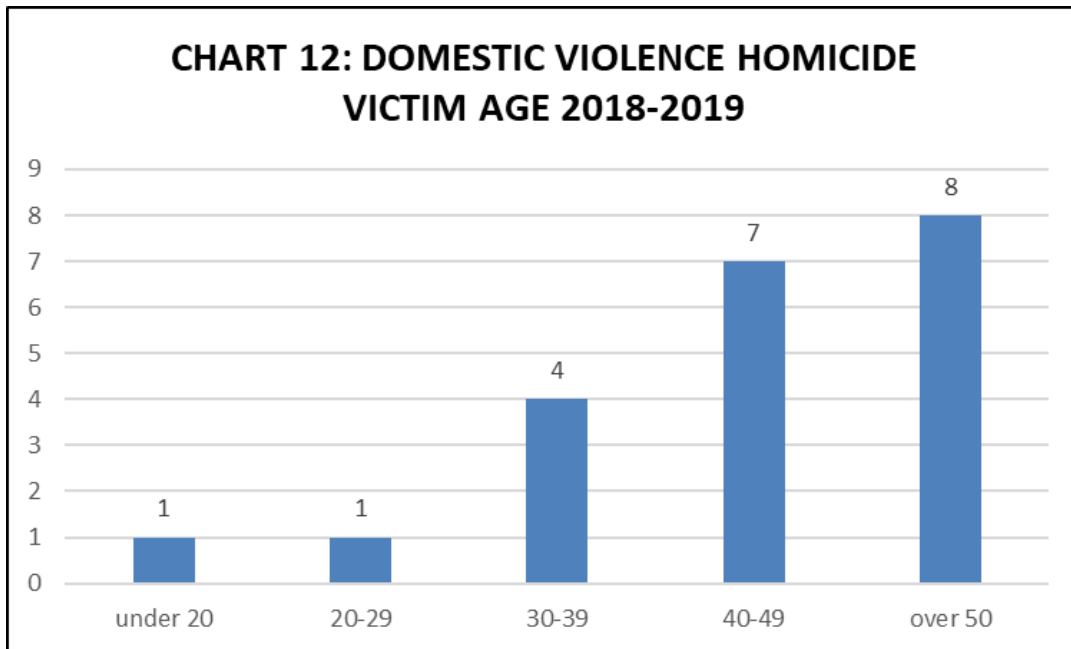


CHART 12

The majority of domestic violence homicide victims in this timeframe were over the age of 40. The victim in the under 20 category was less than 6 years of age.

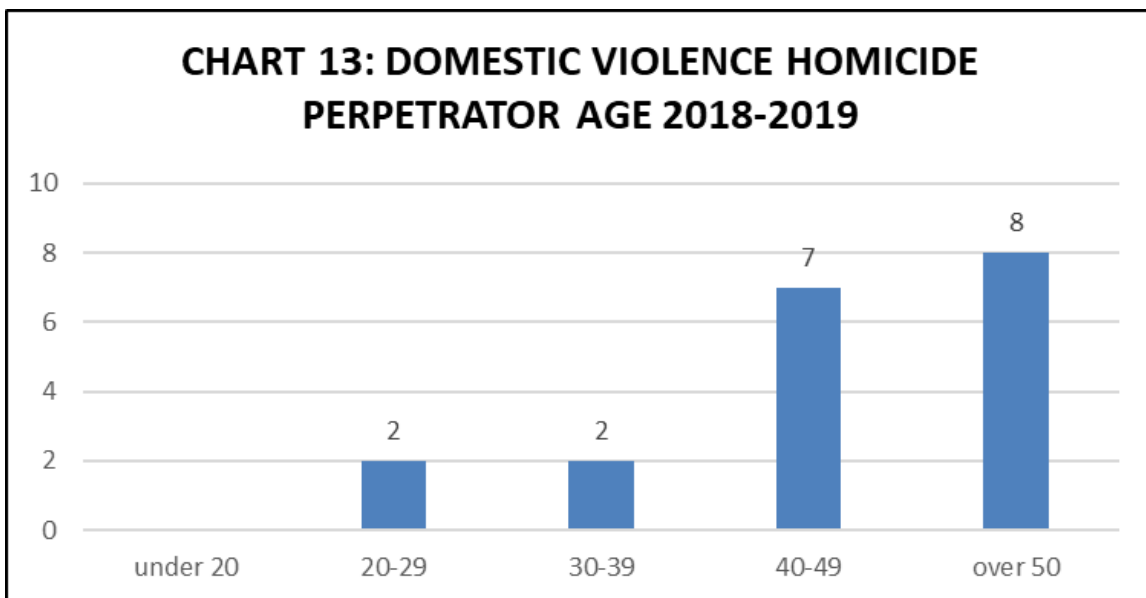


CHART 13

The age group most responsible for domestic violence homicides is 40 and older, accounting for **79%** of the perpetrators.

IV. NEW HAMPSHIRE COALITION AGAINST DOMESTIC & SEXUAL VIOLENCE CRISIS CENTER DATA 2018-2019

The New Hampshire Coalition Against Domestic and Sexual Violence (The Coalition) is the statewide umbrella organization for 13 crisis centers that provide free and confidential services to victims of domestic violence, sexual assault, stalking, human trafficking, and child abuse.

The Coalition's member programs offer crisis services, emergency shelter, court advocacy, hospital accompaniment, assistance with safety planning, and referrals to additional community resources. In addition to providing direct services to victim/survivors, crisis centers also facilitate outreach and prevention education programming in local schools and communities in an effort to raise awareness about interpersonal violence and stop cycles of abuse.

The Coalition partners with law enforcement, prosecutors, state and local agencies, and social service support systems to create safe and just communities throughout New Hampshire. The following data was compiled by The Coalition, derived from its victim services database.

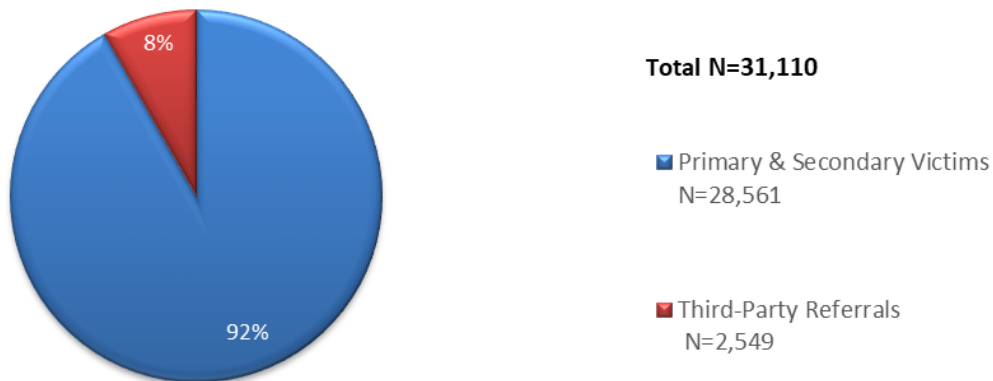
The Coalition defines victims utilizing their services as:

Primary victim is a person, of any age or gender identity, who self identifies as having experienced domestic violence, sexual violence, stalking, human trafficking, or child abuse or is determined to be a victim through member program screening – this includes adult intimate partner abuse, child abuse, or child exposure to violence.

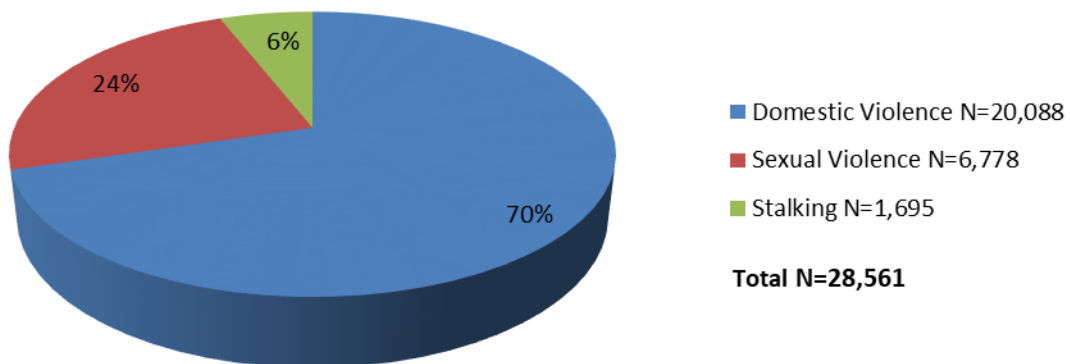
Secondary victim is a person who is emotionally affected by the primary victim's situation by virtue of having a close relationship/attachment, e.g. intimate partner, family member, friend, teacher, etc.

3rd party referral is any person, who is determined not to be a primary or secondary victim e.g. doctor's office, DCYF/DHHS staff, schools, courts, hospitals, police, etc.

**CHART 14: PEOPLE SERVED BY NEW HAMPSHIRE
CRISIS CENTERS AND SHELTERS 2018-2019**



**CHART 15: TYPES OF ABUSE EXPERIENCED BY VICTIMS
2018-2019**



CHARTS 14 & 15

Domestic violence, or interpersonal violence, is defined as an ongoing pattern of abusive, coercive behavior used by one person to gain power and control over another in an intimate and/or familial relationship. While we most often think of domestic violence as physical abuse, it can also include verbal abuse, sexual assault, stalking, emotional and psychological intimidation, and financial abuse.

CHART 16: TYPES OF DOMESTIC VIOLENCE AGAINST ADULTS AND CHILDREN 2018-2019

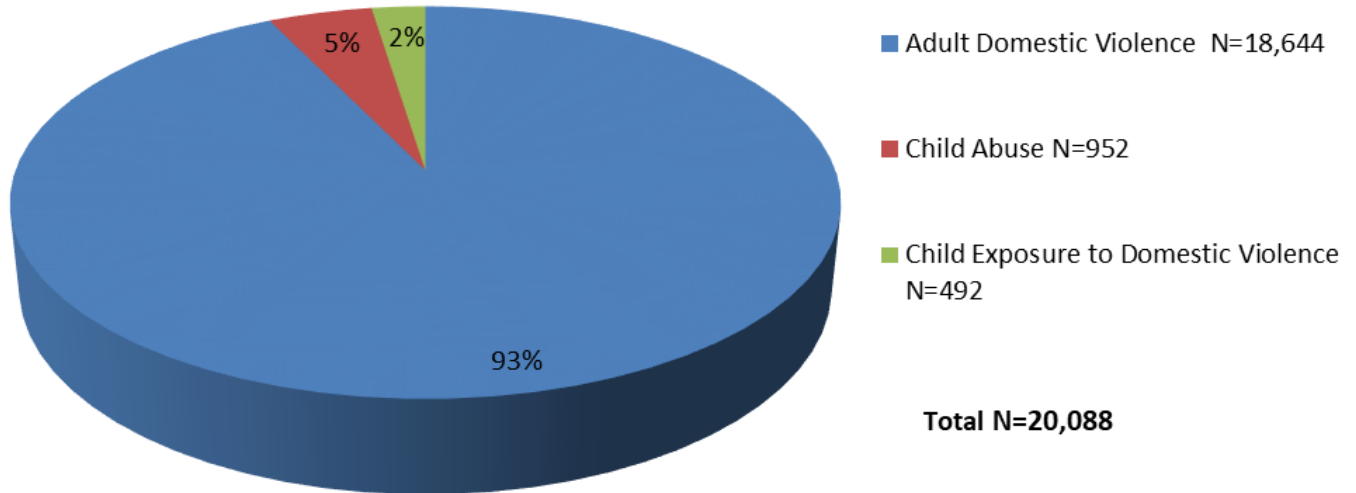


CHART 16

The majority of domestic violence victims receiving crisis center services are adults. However, children who have experienced, witnessed, or have been exposed to domestic violence also receive services from New Hampshire's crisis centers. These services are critical, as research indicates that adults who have reported being exposed to domestic violence as children report higher rates of physical and mental health problems, including depression, alcoholism and drug abuse throughout their lives. Trauma informed services to children and their parents have been shown to strengthen children's resilience and decrease the negative impacts of trauma caused by exposure to domestic violence.

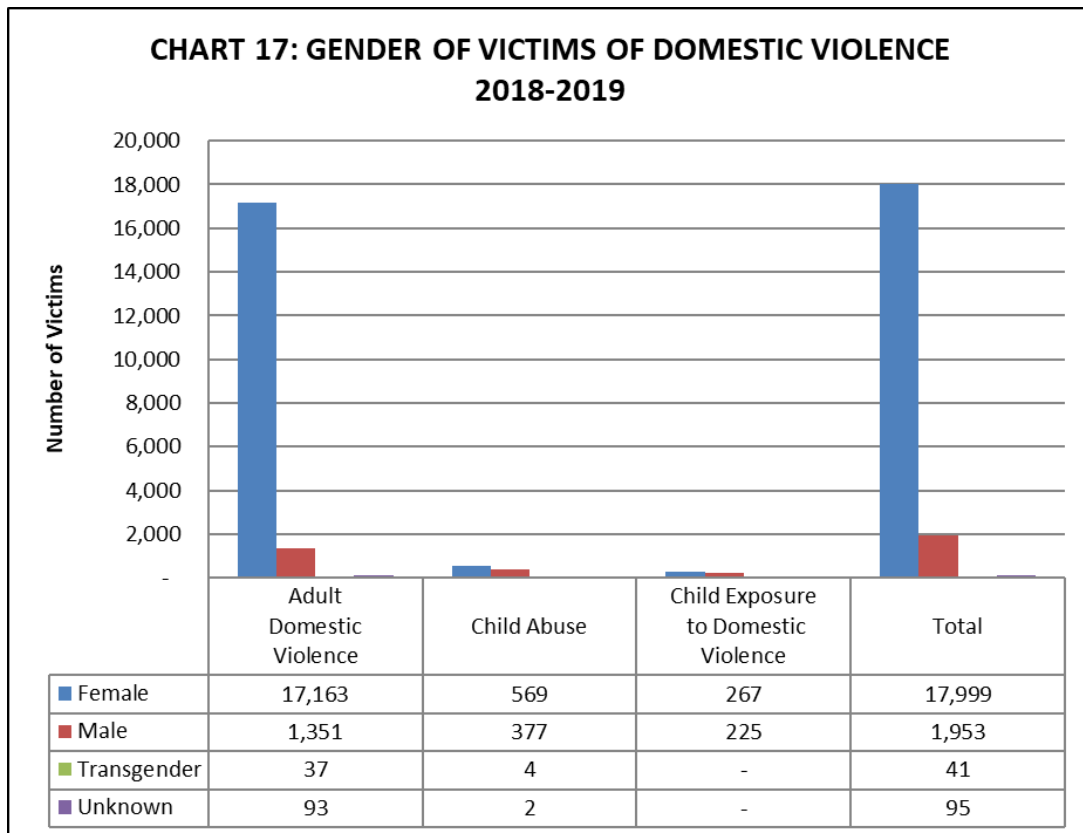


CHART 17

While women are statistically more likely to be victims of domestic violence, domestic violence can and does affect anyone, regardless of age or gender identity. Crisis centers provide free, confidential and affirming support services and advocacy to anyone who has experienced abuse.

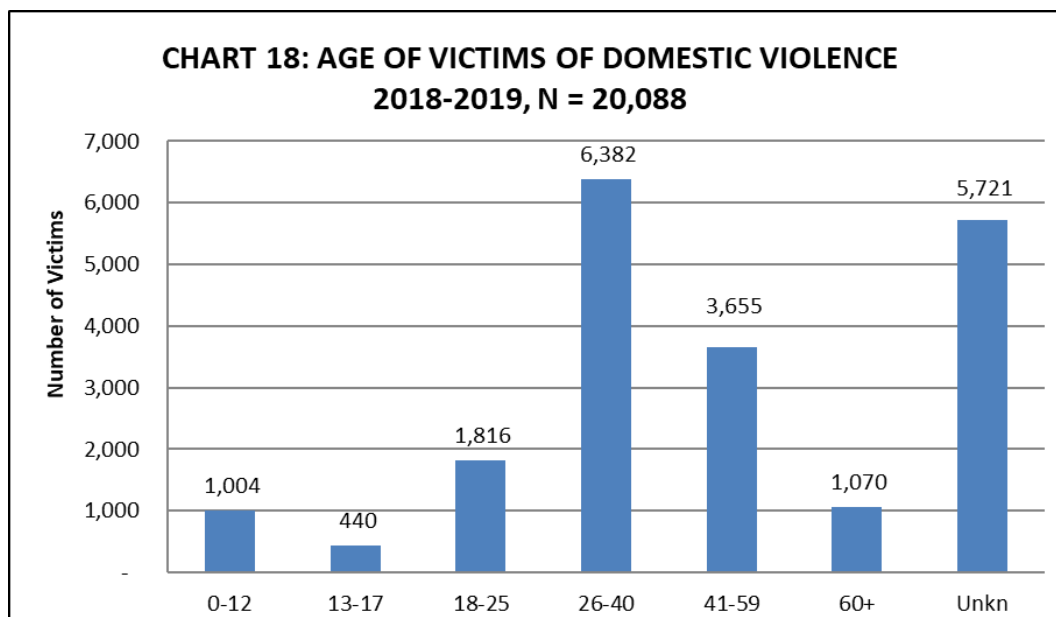


CHART 18

The majority of victims served by crisis centers are adults, however, at least **7%** of the domestic violence victims in New Hampshire accessing services in 2018-2019 were children, with over **1,000** of them being under the age of 13.

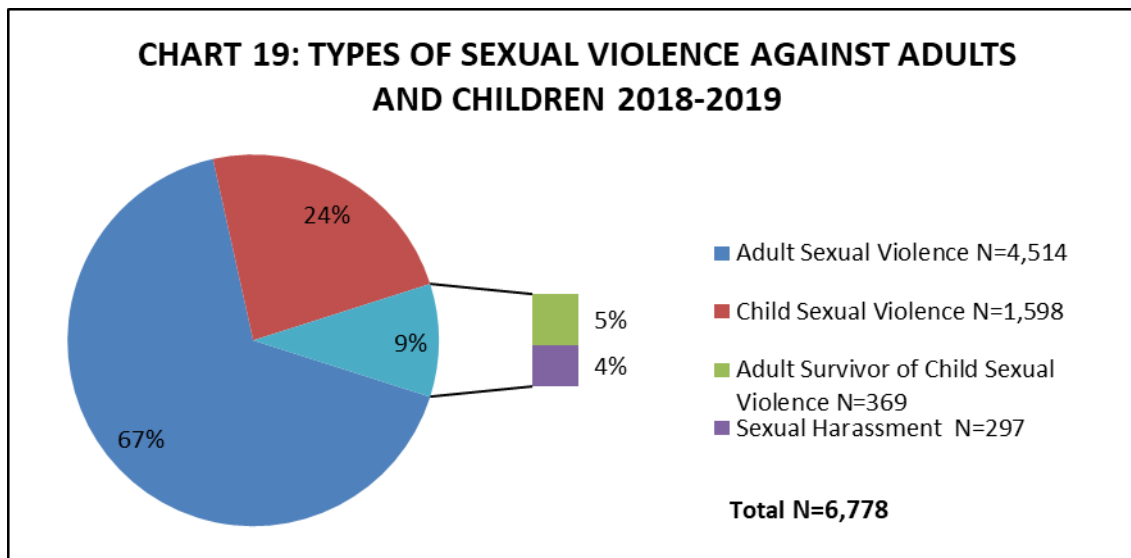


CHART 19

Perpetrators of domestic violence often use sexual violence as a form of abuse, and this tactic is an indicator of increased risk to victims. When sexual violence is reported in conjunction with domestic violence, it should be viewed as a strong warning sign for potential lethality.

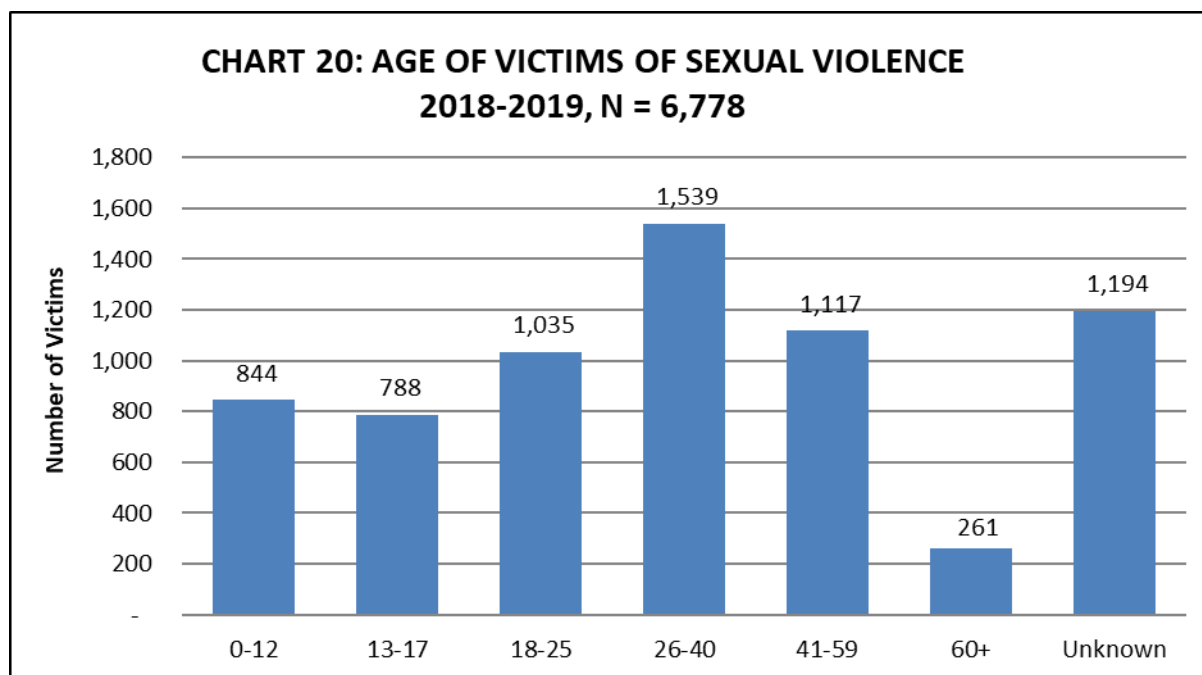
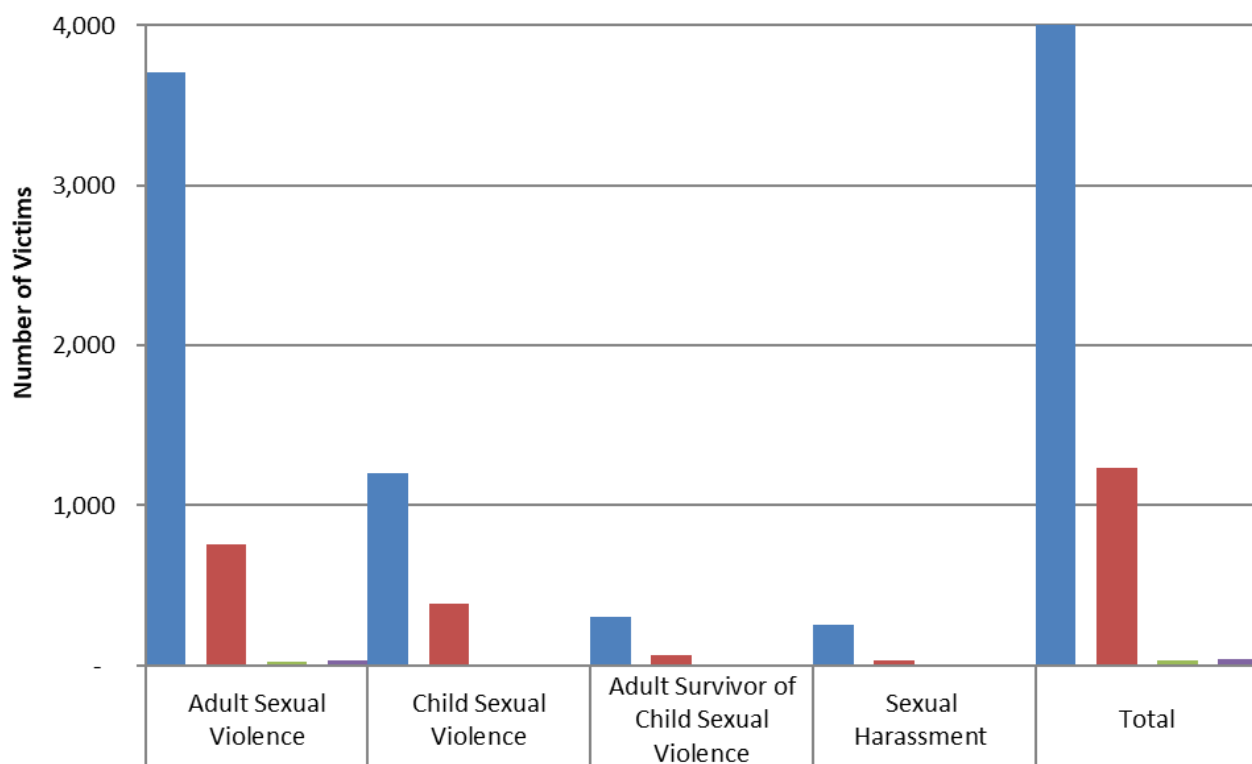


CHART 20

Victims of sexual violence who received crisis center services span across all age ranges. While younger individuals are at increased risk of being sexually assaulted, many do not report until later in their lives. According to the [Sexual Assault in New Hampshire report](#), **41% of sexual assaults of women** occurred before their **18th birthday** and **83% occurred** before the age of **25**. For men who report having been sexually assaulted, **69% of sexual assaults** occurred before the victim was 18, and **51% of sexual assaults** occurred when they were age 12 or younger.

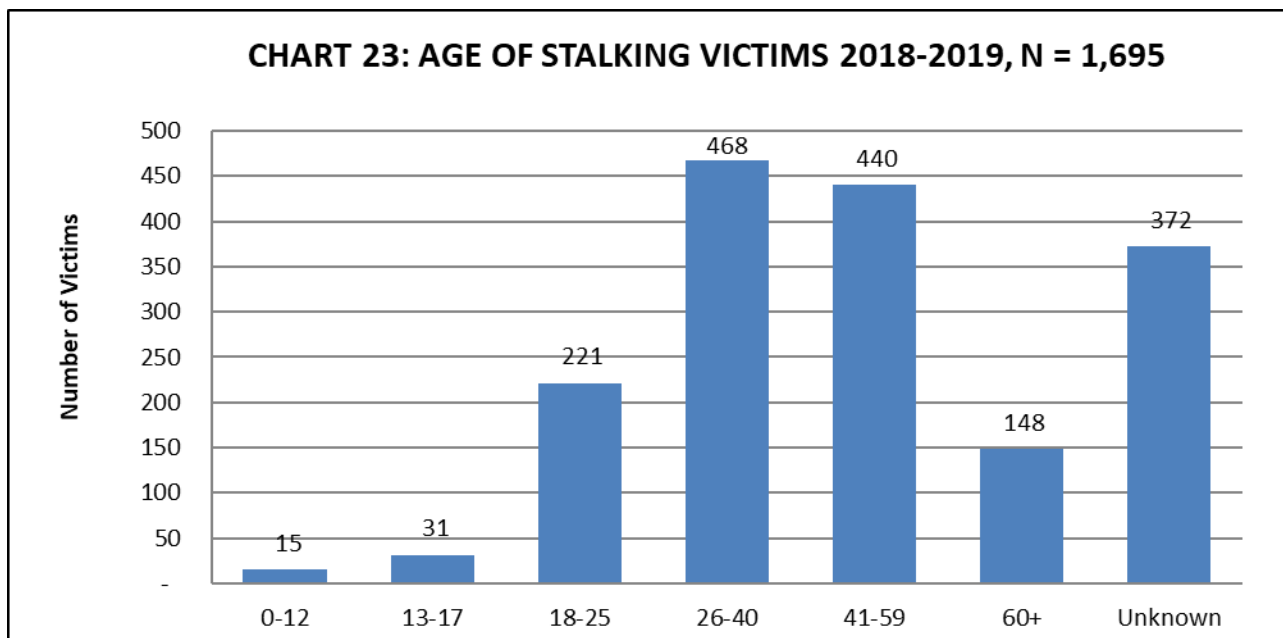
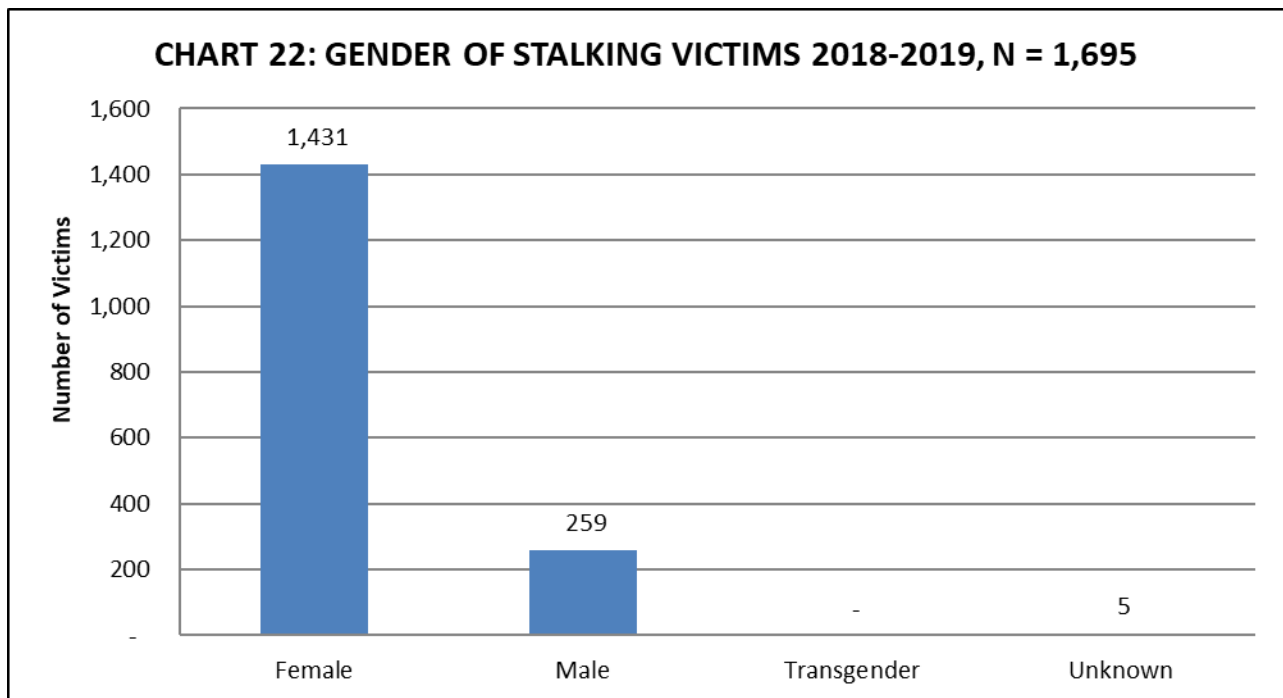
CHART 21: GENDER OF VICTIMS OF SEXUAL VIOLENCE 2018-2019



Female	3,707	1,203	300	256	5,466
Male	757	382	67	32	1,238
Transgender	20	8	-	3	31
Unknown	30	5	2	6	43

CHART 21

Sexual violence is a devastating experience with significant impact, regardless of a victim's gender. It is important to note that victims of all gender identities are afforded the same protections under the law. Even so, men and LGBTQ+ victims may not report sexual violence or seek services for a variety of reasons that include stigmas, and the fear of not being believed.



CHARTS 22 & 23

Based on the Coalition’s 2018–2019 data, **women between the ages of 26-59** are at the greatest risk of being stalked. Victims of stalking usually know their perpetrator, and they are commonly a current or former intimate partner. Many perpetrators of domestic violence use stalking as a tactic of control to instill fear in their victims, and continual advances in technology have greatly increased the ability of perpetrators to stalk victims in ways that can be more difficult for victims to detect. National research indicates that the majority of victims of domestic violence reported being stalked prior to their murder.

CHART 24: INDIVIDUALS PROVIDED EMERGENCY SHELTERING DUE TO DOMESTIC VIOLENCE 2018-2019, N = 927

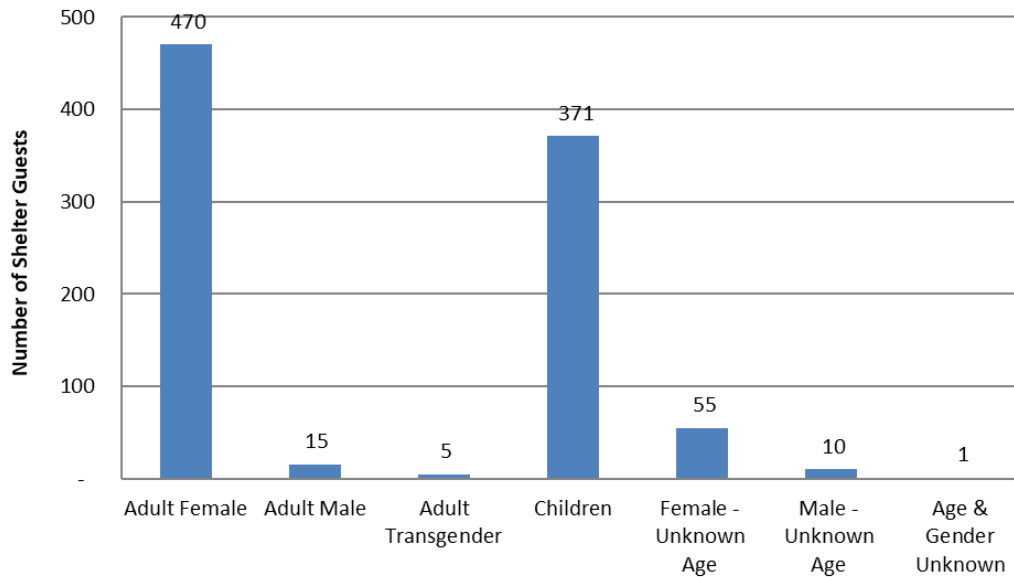
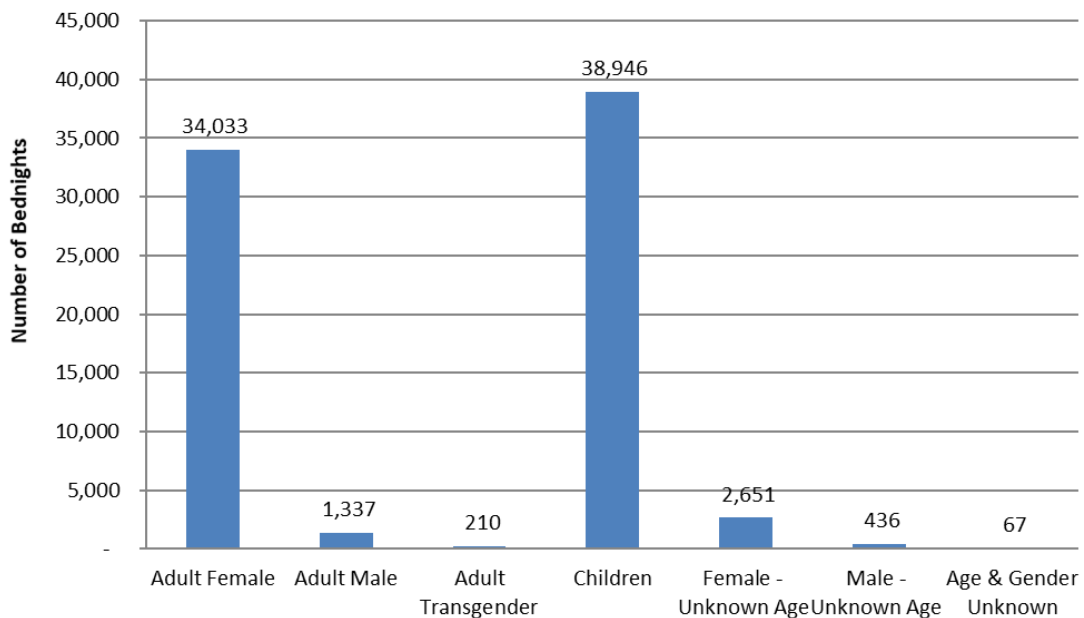


CHART 25: NUMBER OF NIGHTS SPENT IN EMERGENCY DOMESTIC VIOLENCE SHELTERS 2018-2019, N = 77,680



CHARTS 24 & 25

During this reporting period, the majority of victims staying in emergency domestic violence shelters were women and children. Families often stay in emergency shelter for several months, and there is limited space available in New Hampshire's 12 domestic violence shelters. Due to a lack of capacity, in 2018-2019 **3,074 people, 1,064 of them children**, were turned away from domestic violence shelters.

V. NEW HAMPSHIRE JUDICIAL BRANCH

PROTECTIVE ORDER DATA 2018-2019

This section presents data from the Circuit and Superior Courts regarding the protections available to victims of domestic violence and stalking. There are ten Circuits in the State of New Hampshire. Each Circuit is broken down further into different physical locations with most locations having both a Family Division and a District Division. The Superior Courts also reported data related to Criminal Bail Protective Orders (CBPO). The 2018-2019 data charts below reflect total numbers throughout the state.

DOMESTIC VIOLENCE

RSA 173-B:4 describes the process for the procurement of a domestic violence protective order and includes the types of relief that a Court may order. Civil domestic violence orders of protection can be sought through two different mechanisms: by requesting an Emergency/ Telephonic Order of Protection via law enforcement during non-court business hours or by filing a Petition for Order of Protection with the court during business hours. While the nature of the protections offered are similar, the process surrounding each mechanism and the length of the protections offered look very different.

EMERGENCY/TELEPHONIC ORDERS

At times when courts are closed, victims may request a civil **emergency/telephonic protective order** with the assistance of law enforcement. These orders remain in effect until the end of the next court business day. It is important to note that these orders are not entered into the National Crime Victim Information Center and therefore are only visible to New Hampshire law enforcement in the state they are issued. If there is an arrest in a domestic violence or stalking related case, there may be both a CBPO as well as a Telephonic Emergency/telephonic protective order in effect, as one relates solely to criminal cases and the other relates solely to civil cases.

The victim may file a civil domestic violence or stalking petition requesting a temporary order of protection during the next available court business day in order to request continued protection.

During calendar years 2018 and 2019, **778 Domestic Violence Emergency/Telephonic orders were granted in New Hampshire**. The court typically only receives copies of the orders that have been granted by an on call judge; data regarding those that may have been requested and denied are not available.

TEMPORARY ORDERS OF PROTECTION

A civil protective order case begins when a person requesting relief, a **plaintiff**, comes to the court during regular business hours to request immediate relief from abuse as defined in RSA 173-B. The plaintiff files a **petition** describing what occurred to cause them to fear for their immediate safety, then waits while the judge reviews the request. The judge may or may not speak with the plaintiff before issuing a decision.

The decision may be to either:

- Grant a **temporary order of protection** (valid until the final hearing is held within 30 days, or 3-5 days if the defendant requests an earlier hearing);

- Deny temporary orders but schedule a hearing for a later date at which both parties may present their case to the court; or
- Deny the request completely.

A temporary order of protection can remain in effect until a determination is made as to whether the order should become a final order of protection.

Examples of available protections include, but are not limited to, ordering the defendant to relinquish firearms and ammunition, prohibiting the defendant from contacting the plaintiff, and prohibiting further abuse of the plaintiff by the defendant.

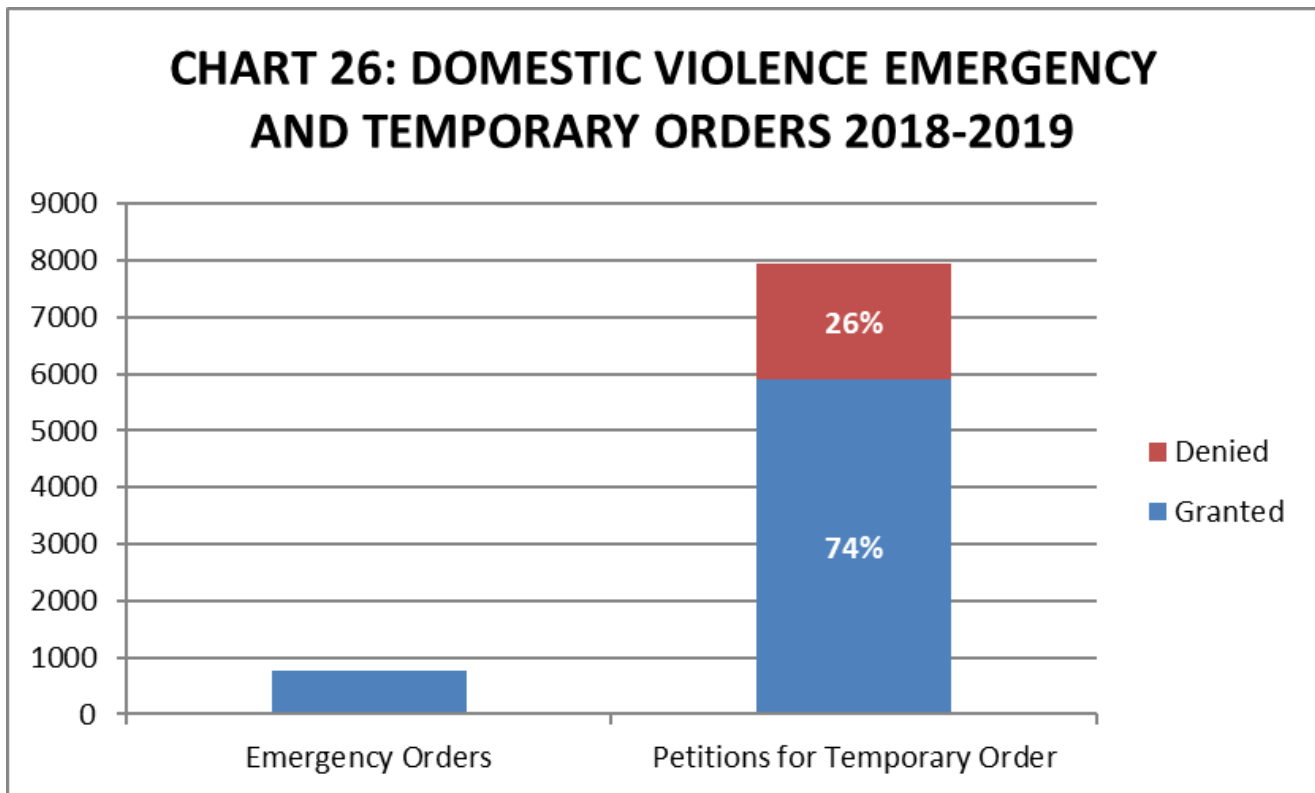


CHART 26

In comparing the number of emergency orders issued to the number of temporary orders of protection issued, there is a noticeable difference in numbers. This difference can be attributed to a number of factors including, but not limited to, the impact of trauma on the plaintiff or the existence of a CBPO or standard bail order.

FINAL ORDERS OF PROTECTION

If a final hearing is scheduled, the **defendant** (person against whom the order is issued) is notified by law enforcement of the allegations and whether a temporary order has been issued. At the final hearing, the judge hears evidence (usually in the form of testimony) and arguments from both parties, and then typically issues a final order either dismissing the case or granting a **final order of protection** (which can last for up to one year).

The plaintiff may file a **request to withdraw** the petition at any time during this process. Withdrawal or dismissal of a petition does not prevent a plaintiff from filing a new petition should new incidents occur.

The chart below reflects the 2018-2019 outcomes of civil domestic violence petitions which had been granted a temporary order.

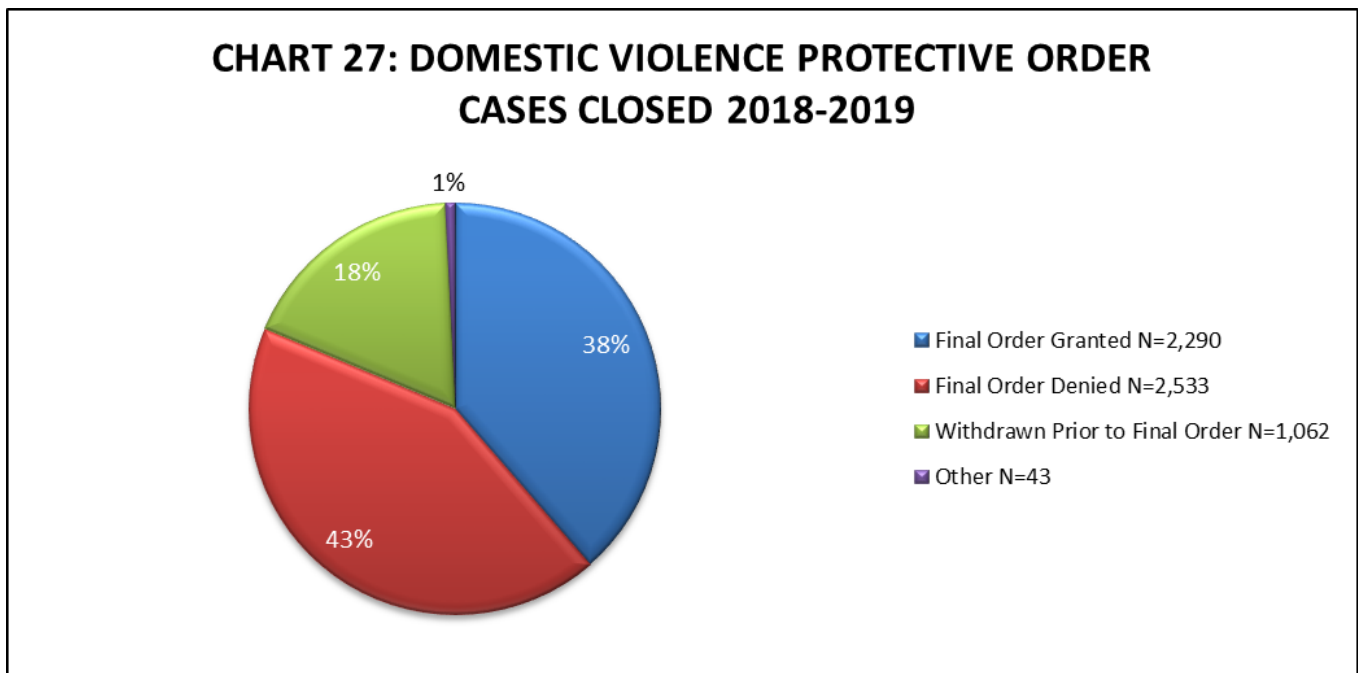


CHART 27

Final Order Denied indicates that at a final hearing, the Court ruled that a final order would not be granted and the case would be closed. Reasons for denial/dismissal vary, and are not yet able to be distinguished in this report. Possible reasons include parties' non-appearance at the final hearing and failure to find that abuse occurred as defined by 173-B, among others. Plaintiff requests to withdraw a protective order are reflected within Withdrawn Prior to Final Order.

An outcome will be counted as Other if no final order or withdrawal is found. The most common reasons for this include: case was closed after judge approved parties' stipulated agreement; case was manually transferred to another court prior to a final order or withdrawal; or data entry error/omission.

FINAL ORDER EXTENSIONS

According to RSA 173-B:5, VI, plaintiffs may request that the court extend their domestic violence final order. If the court finds good cause for the extension, the court may extend the final protective order for one year on the first extension request. Thereafter, each extension may be up to five years. Before the five year extension order expires, the plaintiff may request that the order be extended for another five years. After the extension order is granted and the parties receive a copy of the order, if the defendant objects the order they may request that the court hold a hearing on the matter.

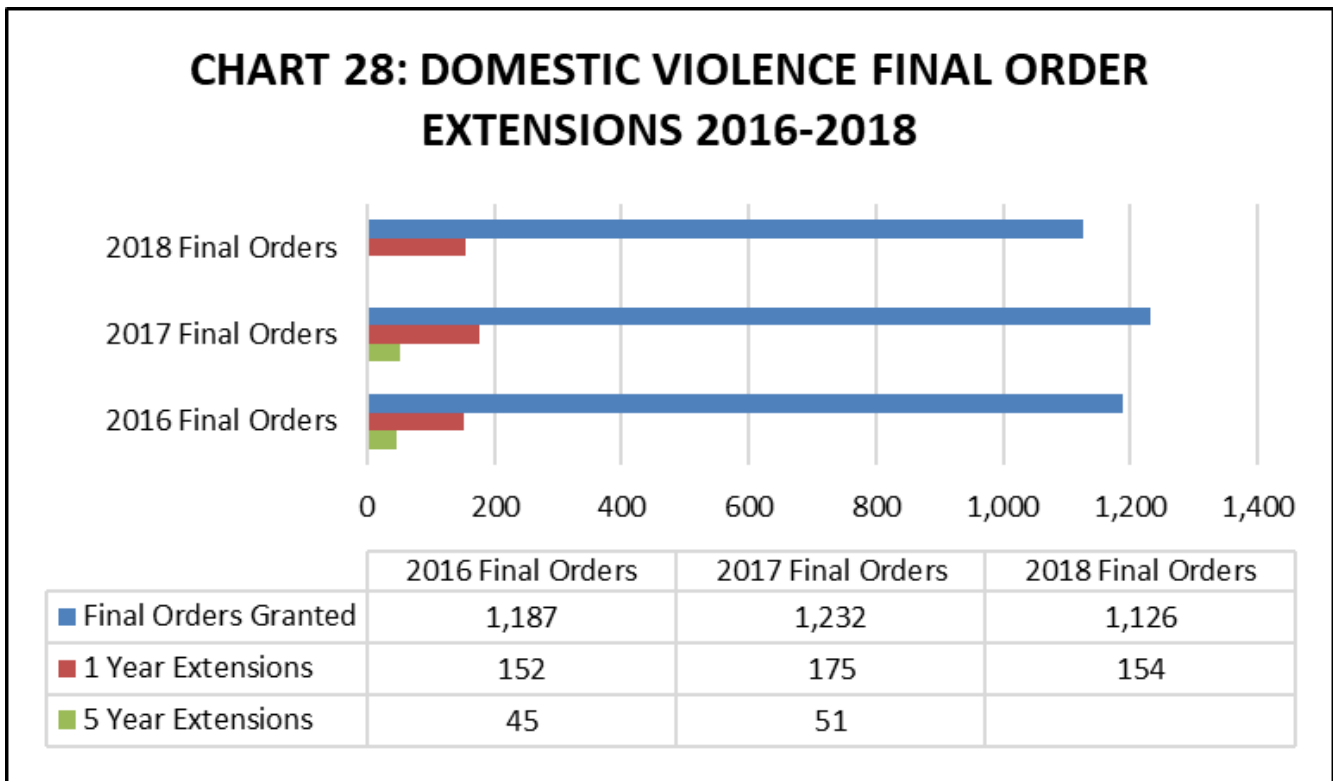


CHART 28

This chart demonstrates the number of final order extensions granted within this reporting period.

Of the 1,187 final orders issued in 2016, 152 were extended for one year and of those, 45 were later extended for an additional 5 years.

In 2017, 1,232 final orders were issued. 175 of them were extended for one year and of those, 51 were later extended for an additional 5 years.

Of the 1,126 final orders issued in 2018, 154 were extended for one year. The data regarding 5 year extensions of those orders is not yet available for this report.

Looking at the three years of data together, about **14% of final orders** were granted a one year extension. **29% of those initially extended for one year were extended for an additional 5 years.** A small fraction (**4% of final orders**) were extended for a total of 6 years.

CHART 29: DOMESTIC VIOLENCE PLAINTIFF REPRESENTATION 2018-2019

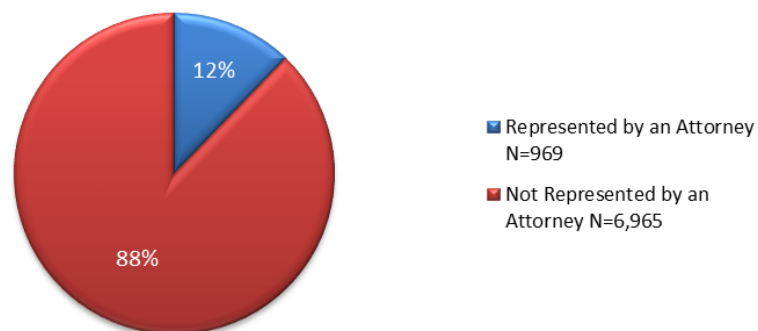


CHART 29

This chart shows that only **12% of plaintiffs** had representation at some point in the process of requesting a domestic violence protective order.

STALKING

Stalking, in the simplest of terms, is a pattern of behavior, directed at specific person that would place a reasonable person in fear. New Hampshire's stalking statute ([RSA 633:3-a](#)) provides relief for victims of stalking through a protective order process that is similar to that for victims of domestic violence under 173:B. However, unlike domestic violence protective orders, no specific relationship is required to qualify for the issuance of a stalking protective order. The plaintiff must prove, however, that the defendant engaged in a **course of conduct** as defined by statute.

National data shows that most stalking victims are stalked by someone they know, with two-thirds of female victims being stalked by a current or former intimate partner¹. There is also a strong correlation between stalking and domestic violence homicide with 76% of female domestic violence homicide victims having been stalked by their partner².

Given this potential connection, information on stalking petitions is included in this report. However, it is important to note that the relationship of the parties in a stalking order is not yet able to be distinguished in this report. Domestic violence victims, who are stalked, may have found relief with either a stalking or a domestic violence protective order. This is an area which could use more exploration to better understand the scope of stalking in New Hampshire.

EMERGENCY/TELEPHONIC ORDERS OF PROTECTION

During calendar years 2018-2019, **23 Stalking Emergency/Telephonic Orders of Protection** were granted. The court typically only receives copies of the orders that have been granted by an on call judge; data regarding those that may have been requested and denied are not available.

¹Black, M.C., K.C. Basile, M.J. Breiding, S.G. Smith, M.L. Walters, M.T. Merrick, J. Chen, and M.R. Stevens, "The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report," Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 2011.

²Judith McFarlane et al., "Stalking and Intimate Partner Femicide," Homicide Studies 3, no. 4 (1999).

TEMPORARY ORDERS OF PROTECTION

Temporary orders of protection for stalking follow the same process as temporary orders of protection for domestic violence. This process is described on page 26.

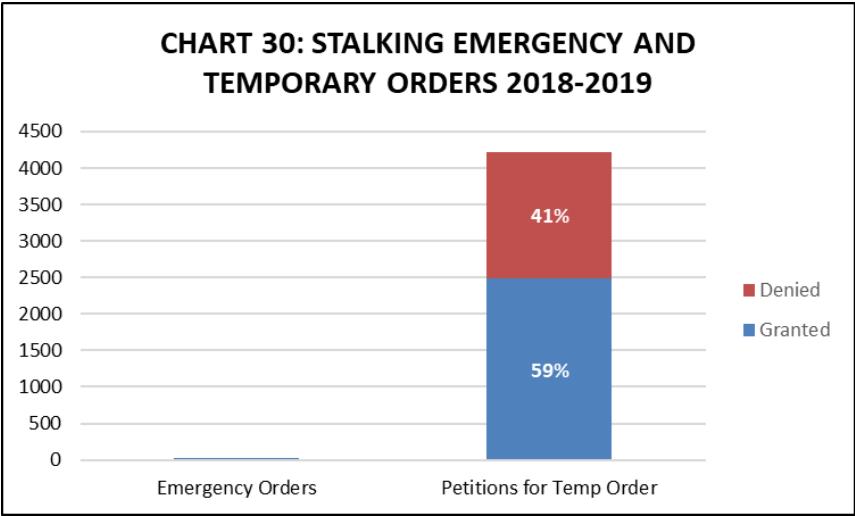


CHART 30

In comparing the number of emergency orders issued to the number of temporary orders of protection issued, there is a noticeable difference in numbers. This difference can be attributed to a number of factors including, but not limited to, the impact of trauma on the plaintiff or the existence of a criminal bail protective order or standard bail order.

FINAL ORDERS OF PROTECTION

The chart below reflects the 2018-2019 outcomes of civil stalking petitions which had been granted a temporary order.

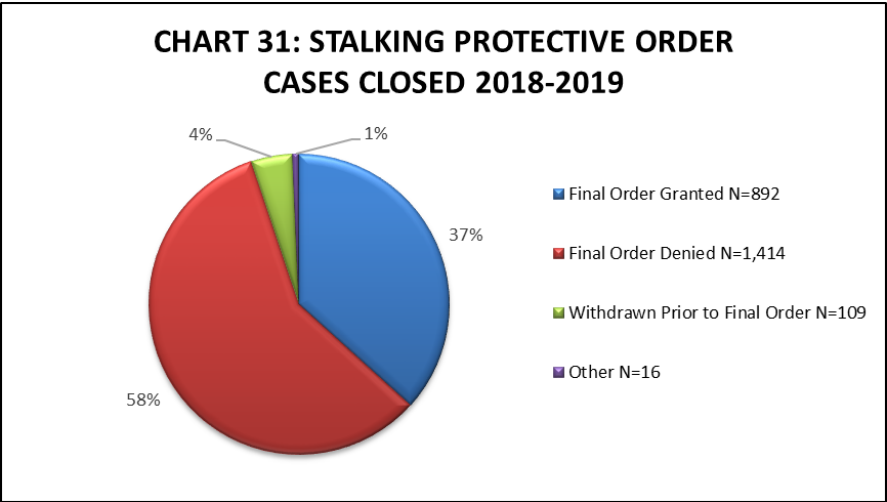


CHART 31

Final Order Denied indicates that at a final hearing, the Court ruled that a final order would not be granted and the case would be closed. Reasons for denial/dismissal vary, and are not yet able to be distinguished in this report. Possible reasons include parties' non-appearance at the final hearing and failure to find that stalking occurred as defined by 633:3-a, among others. Plaintiff requests to withdraw a protective order are reflected in Withdrawn Prior to Final Order.

An outcome will be counted as Other if no final order or withdrawal is found. The most common reasons for this include: case was closed after judge approved parties' stipulated agreement; case was manually transferred to another court prior to a final order or withdrawal; or data entry error/omission.

FINAL ORDER EXTENSIONS

Since stalking orders are afforded the same process as domestic violence orders in 173-B, plaintiffs may request the court extend their stalking final order. If the court finds good cause for the extension, the court may extend the final protective order for one year on the first extension request. Thereafter, each extension may be up to five years. Before the five year extension order expires, the plaintiff may request that the order be extended for another five years. After the extension order is granted and the parties receive a copy of the order, if the defendant objects to the order they may request that the court hold a hearing on the matter.

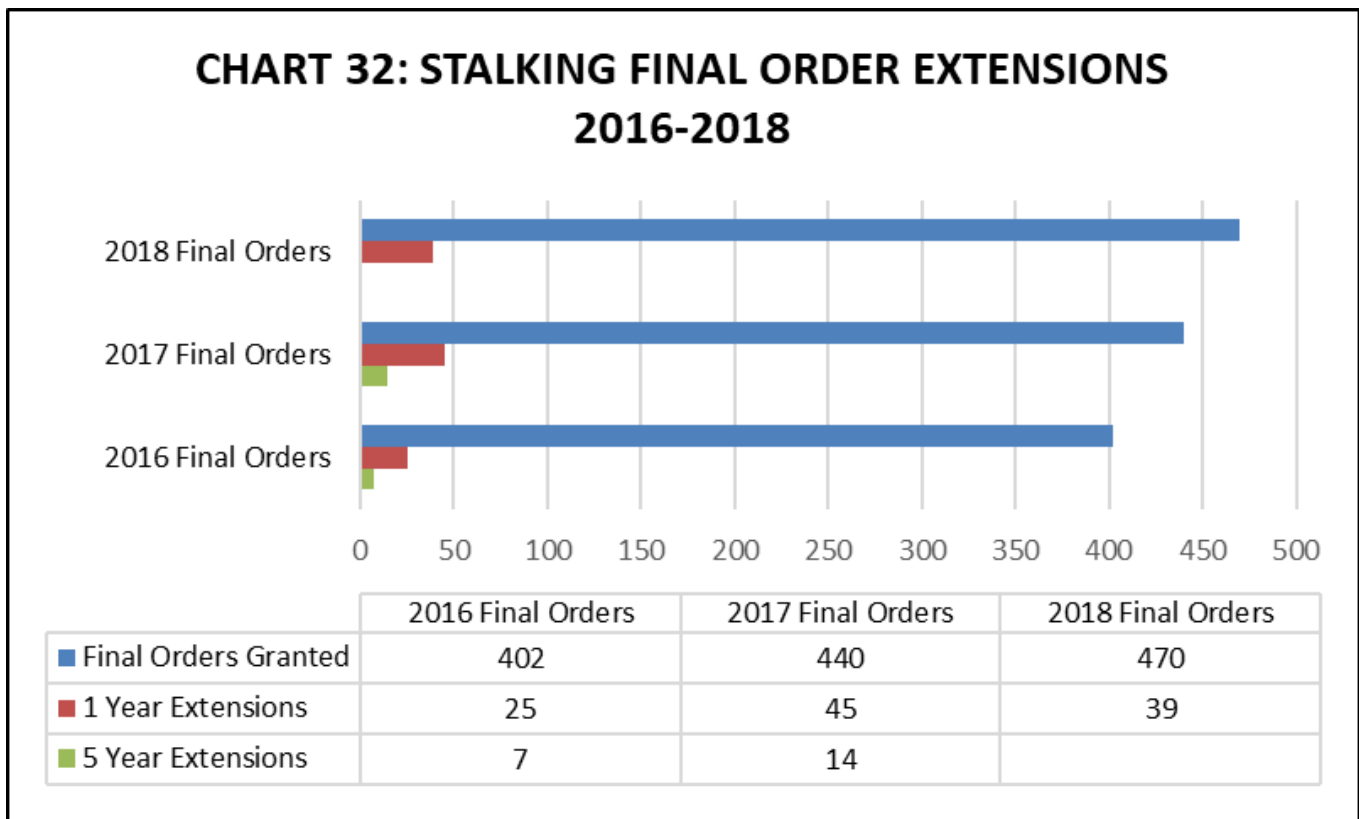


CHART 32

This chart demonstrates the number of final order extensions granted within this reporting period.

Of the 402 final orders issued in 2016, 25 were extended for one year and of those, 7 were later extended for an additional 5 years.

In 2017, 440 final orders were issued. 45 of them were extended for one year and of those, 14 were later extended for an additional 5 years.

Of the 470 final orders issued in 2018, 39 were extended for one year. The data regarding 5 year extensions of those orders is not available for this report.

Looking at the three years of data together, about **8% of final orders** were granted a one year extension. **30% of those initially extended for one year were extended for an additional 5 years.** A small fraction (**2%**) of **final orders** were extended for a total of 6 years.

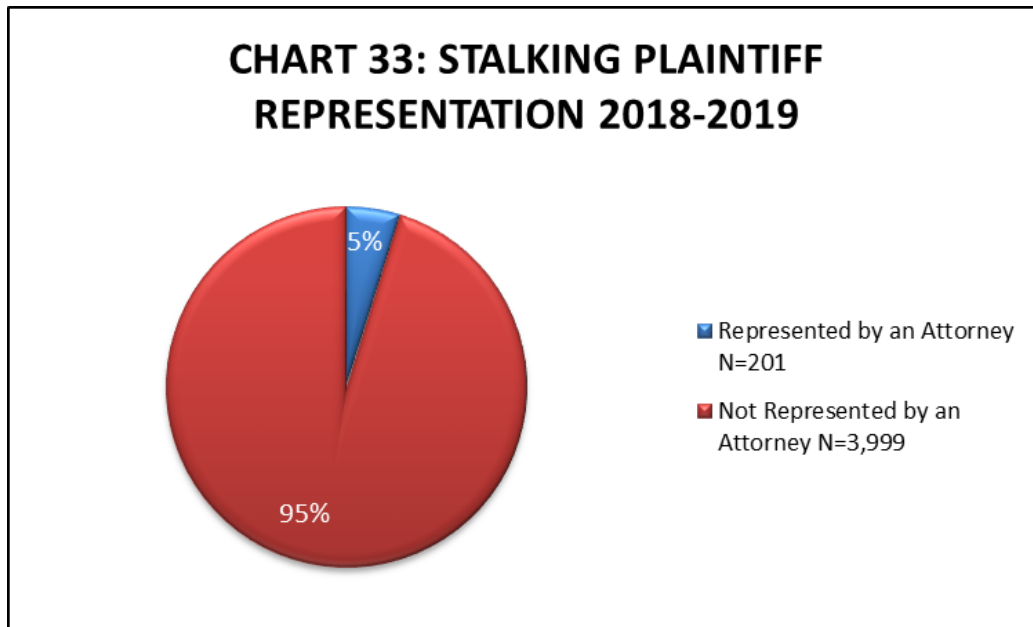


CHART 33

This chart shows that only **5% of plaintiffs** had representation at some point in the process of requesting a stalking protective order.

PROTECTIVE ORDERS IN CRIMINAL CASES

In criminal cases law enforcement may request a **Criminal Bail Protective Order (CBPO)** when the victim is the defendant's "intimate partner" or child of the defendant's "intimate partner" as defined under federal law. Unlike other protective orders, the criminal protective order may be requested and issued without the victim's consent. However, victims should still be offered the option to request an emergency/telephonic order, regardless of this issuance of a CBPO. Law enforcement should also inform the victim of the issuance of a CBPO and its conditions.

While often utilized in cases involving domestic violence, sexual assault or stalking, they may be used in other criminal cases as well, as long as the relationship qualifies. **In 2018, 3,877 CBPOs were issued and in 2019, 3,624 CBPOs were issued.**

APPENDICES

APPENDIX A: DVFRC COMMITTEE LIST

DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE MEMBERS WHO SERVED DURING REPORTING PERIOD (2018-2019)

Vicki Blanchard

Advanced Life Support Coordinator
Department of Safety, Bureau of EMS

Captain Mark G. Bodanza

Hanover Police Department

Ms. Paula N. Booth, ACSW, CEAP

Director, State of New Hampshire
Employee Assistance Program

Stephanie Callahan

Victim/Witness Coordinator
Rockingham County Attorney's Office
Janet Carroll, RN, CEN, SANE-A
NHCADSV

Heather Cherniske

NH Attorney General's Office

Attorney Alan Cronheim

Sisti Law Offices

***Dr. Jennie V. Duval**

Chief Medical Examiner
Office of the Chief Medical Examiner

Michelle Edmark

Warden of NCF
New Hampshire Department of Corrections

***Elizabeth Fenner Lukaitis [alt.]**

Acute Services Care Coordinator
Bureau of Behavioral Health

Detective Robert Frechette

Rochester Police Department

Ms. Amanda Grady [alt.]

Public Policy Director
New Hampshire Coalition Against Domestic
and Sexual Violence

Lieutenant Jill Hamel [alt.]

New Hampshire Police Standards
and Training Council

***Dr. Scott Hampton**

Ending the Violence

***Sergeant Sara Hennessey**

New Hampshire State Police
Family Services Unit

Melissa Kowalewski, JD

Domestic Violence Program Manager
New Hampshire District Court

Rachel Lakin

APS Program Operations Administrator
Bureau of Elderly and Adult Services

Lisa Lamphere

Coordinator
Victims' Compensation Program

***Patricia LaFrance, JD**

The Black Law Group

Deborah Madigan

Bureau of Elderly and Adult Services

Bernadette Melton-Plante

Senior CASA/GAL Supervisor
CASA of NH

Ms. Deborah J. Mozden

Executive Director
Turning Points Network

Peggy O'Neil [alt]

Executive Director
Women's Information Service, Inc.

Judge John T. Pendleton

10th Circuit Family Division Court

***Lynda Ruel, Director**

State Office of Victim/Witness Assistance
New Hampshire Attorney's Office

***Lyn Schollett**

Executive Director
New Hampshire Coalition Against Domestic
and Sexual Violence

***Danielle Snook**

Program Specialist
State Office of Victim/Witness Assistance
New Hampshire Attorney's Office

Chief Donald Sullivan

Alexandria Police Department

Staff Assistant

***Stacey MacStravic**

Administrative Assistant
Office of Victim/Witness Assistance
NH Attorney General's Office

**Denotes Executive Committee member*

APPENDIX B: LETHALITY ASSESSMENT PROGRAM (LAP) STEERING COMMITTEE LIST

LETHALITY ASSESSMENT PROGRAM (LAP) STEERING COMMITTEE MEMBERS WHO SERVED DURING REPORTING PERIOD (2018-2019)

Captain Mark Bodanza

Assistant Director
Hanover Police Department

Joi Smith

Client Services Manager
HAVEN

Shanna Beckwith

Assistant Director
MCVP

Danielle Snook

Program Specialist
Attorney General's Office

Detective Robert Frechette

Rochester Police Department

Chief Donald Sullivan

Alexandria Police Department

Chief David B. Goldstein, PhD

Franklin Police Department

Chief Investigator Richard C. Tracy

Attorney General's Office

Sergeant Sara Hennessey

NH State Police
Family Services Unit

Joelle C. Donnelly Wiggin

Victim/Witness Advocate
Office of Victim/Witness Assistance
Attorney General's Office

Kathy Kimball

SART Coordinator
Attorney General's Office

Detective Kendall Poirier

Franklin Police Department

Melissa Kowalewski

Domestic Violence Program Manager
New Hampshire District Court

Staff Assistant

Stacey MacStravic

Administrative Assistant, OVWA
Attorney General's Office

Lynda Ruel

Director, Office of Victim/Witness Assistance
Attorney General's Office

Natalie Ryckman

New Hampshire Coalition Against Domestic and
Sexual Violence

